

August 07, 2015

Mr. Michael Kutney, P.G.
Pottsville District Mining Operations
PA Department of Environmental Protection
5 West Laurel Boulevard
Pottsville, PA 17901-2522

**RE: Proposed Reclamation Plan and Sequence
New Hope Crushed Stone & Lime Co.
NPDES Permit Renewal No. PA0595853
SMP No.: 7974SM3
Solebury Township, Bucks County
EarthRes Project Number: 011012.015**

Dear Mr. Kutney:

In follow-up to the to the Department's July 10, 2015 letter to my client New Hope Crushed Stone & Lime Co. (NHCS), please find the following responses (*italics*) to the comments presented therein:

- 1. The reclamation schedule is based on available reserves instead of the actual time needed to reclaim sections of the quarry.**

Reclamation of the quarry is currently ongoing. The reclamation timing is currently estimated by NHCS at 7 to 9 years to enable effective reclamation and preparation of the benches for final grades and sloping. The sequence for reclamation is included in our letter and plan of June 30, 2015.

- 2. The reclamation schedule assumes that New Hope Crushed Stone & Lime Co., Inc. (NHCS) has authorization to remove benches. NHCS does not have authorization to remove benches. NHCS may request to remove benches under Chapter 77.573.**

NHCS believes it has the Department's prior authorization to remove benches without a correction to its Mining Permit, provided that it completes a stability analysis. EarthRes has completed the field portion of that study on behalf of NHCS, which will be filed with the Department prior commencement of bench removal.

- 3. The information provided by EarthRes Group, Inc. (ERG) on behalf of NHCS does not address the pending NPDES permit renewal. Please submit revisions to the Surface Mining Permit and the NPDES Permit that achieve the following:**

a. Abate the public nuisance caused by NHCS' lowering of the groundwater;

NHCS counsel advises that the Adjudication preserved NHCS's right to mine in accordance with its Mining Permit, but confined the quarry's mining to levels above -120 msl by rescinding the depth correction that was the subject of the appeal and order.

NHCS continues to monitor groundwater levels within its zone of influence. Monitoring reports consistently show that groundwater elevations within the quarry's zone of influence respond to seasonal conditions and not to surface mining. NHCS is not mining below -120 and the data shows NHCS is not further lowering groundwater levels.

b. Restore the groundwater underneath Solebury School to post-mining levels;

The reclamation plan, which is grounded in significant hydrogeological data, demonstrates that groundwater elevations will be restored to the predicted post-mining levels upon reclamation.

c. Maintain the minimum required downstream flow (the revision should provide an estimate of the change in water pumping required to achieve the required reclamation plan);

As required by the permit, a minimum of 500,000 gpd of downstream flow will be maintained during current and future reclamation efforts. As the quarry fills with water, the permit required flow will be maintained until the inlet/outlet structures are completed and the post-mining water level is achieved.

d. Manage erosion and sedimentation so that the discharge meets NPDES Permit limits and Chapter 93 water quality standards.

Weekly and monthly discharge sampling results show that NHCS remains in compliance with their permitted discharge limitations.

4. The proposed plan does not provide a schedule for reclamation of the quarry that includes: a) A timeline for when each lift will be flooded; and b.) the approximate amount of reclamation that will occur while each lift is flooding (for example, acreage of slope faces reclaimed, highwalls reduced, construction of stream inflow and outfall structures, acreage planted and stabilized).

As discussed at a meeting attended by quarry and DEP representatives on May 13, 2015, the quarry is unable to provide a timeline for when each lift will be flooded, etc. because reclamation involves factors that NHCS cannot fully control including weather, market conditions, equipment breakdowns, etc. However, based upon calculations that take into account minable reserves, reclamation activities and the capacity of the crushing equipment, NHCS projects that it will have substantially completed reclamation in 7 to 9 years assuming that its equipment continues to function and that market conditions remain stable. NHCS cannot project when the water impoundment will fully recover to predicted post-mining levels. NHCS is

currently mining the lower quarry benches and is assessing safe access to enable quarry flooding upon depletion of those reserves.

5. Additionally, please provide an update regarding the installation of a groundwater elevation monitoring well at Solebury School.

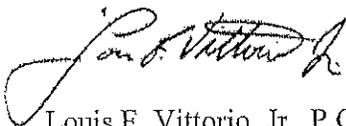
Ongoing monitoring data, as separately verified by the Department, show steady state groundwater conditions. There are currently four (4) monitoring wells located between the quarry and the School, including MW-3, MW-4, MW-5 and MW-11. The stable levels shown do not warrant installation of an additional well to assess water table elevations at the Solebury School.

As discussed in our May 13, 2015, meeting at the Pottsville District Mining Office, a formal submission for the Reclamation Plan and Sequence is due by August 9, 2015. Failure to satisfactorily address the items in this letter may result in the Department initiating an appropriate compliance action to address the issues raised in the Environmental Hearing Board's Adjudication.

The requested plan and sequence is presented herein and in referenced correspondence. On the latter, we have been advised by NHCS' counsel that the quarry is currently in full compliance with the Board's order in this matter.

NHCS respectfully requests a meeting with Department to further discuss the project and proposed reclamation actions. In the meantime, should you have any questions or comments please feel free to contact me at 215-766-1211.

Sincerely,
EarthRes Group, Inc.



Louis F. Vittorio, Jr., P.G.
Vice President

Copied via Electronic Mail:

Mike Menghini, District Mining Manager, PA DEP, mmenghini@pa.gov
Nate Houtz, P.G., Permit Chief, PA DEP, nhoutz@pa.gov
Gary Latsha, SMCIS, PA DEP, galatsha@pa.gov
Amiee Bollinger, SMCI, PA DEP, ambollinge@pa.gov
George Riordan, Vice President, NHCS, george@newhopestone.com
Dennis Carney, Solebury Township, dcarney@soleburytwp.org
Primrose Creek Watershed Association, primrosecreek@gmail.com